

**TOWN OF SWANSBORO
PLANNING BOARD
REGULAR MEETING MINUTES
APRIL 6, 2021**

Call to Order

The meeting was called to order at 5:30 pm. Board members in attendance were Michael Favata, Christina Ramsey, Scott Chadwick, Jeff Conaway, and Brad Buckley. The board had 1 vacancy and Ed McHale was on a leave of absence and was excused.

It was noted that member, Brad Buckley attended via ZOOM, an electronic platform put into place to allow virtual meetings due to the COVID-19 pandemic that had recently taken a huge toll on the United States and other parts of the world requiring social distancing and limited public appearances.

Minutes

On a motion by Mr. Conaway, seconded by Mrs. Ramsey the minutes for November 16, 2020 Special Meeting, March 2, 2021 Regular Meeting, and March 15, 2021 Special Meeting were approved unanimously.

Business

The Blazin' Bird Special Use Permit

Planner, Jennifer Ansell reviewed that Chase Hanford had submitted an application for special use to utilize the property at 632 W. Corbett Ave, the former Seaside Coney Island, as a restaurant. Though the property was previously used as a restaurant, "Restaurants (including take-out only establishments)" now required a special use in the B-2 General Business zoning district. Because the property has been vacant due to damage from Hurricane Florence in September 2018, the use had been discontinued for more than 180 days, and a special use was required.

Mrs. Ansell reviewed the following related to the property and application:

- *Signage.* No new signage has been proposed at this time; and
- *Parking.* Based on the square footage of the restaurant and proposed outdoor seating area, 17 parking spaces were required; 20 would be provided; and
- *Sidewalks.* Sidewalks were not required as it was not a redevelopment of the property; and
- *Traffic Impact Study.* In conversation with Justin Lins, Engineering Specialist II with NCDOT, the number of trips per day will not exceed 200 and would not necessitate a traffic impact study; and
- *Landscaping.* The requirements are not applicable to this project, the repairs/improvements would not change the use or alter the existing building.

Applicant, Chase Hanford addressed the board and clarified the follow details and inquiries from the board:

- Parking along the rear would be improved
- Dumpster and gas tank would be moved to back corner of property; and
- Business would adhere to all Town Plans and requirements; and
- Would address signage changes if needed/required in future; and
- There would not be any live music performances

The Board reviewed the proposed special use permit request and evaluated the application based on the criteria under Section 152.210 of the Unified Development Ordinance. The consensus was that the proposal met the criteria. Mr. Buckley was the only board member that opposed several of the criteria.

On a motion by Mr. Chadwick, seconded by Mrs. Ramsey, The Blazin' Bird Special Use Permit was unanimously recommended for approval to the Board of Commissioners and was found consistent with the Comprehensive plan.

Mr. Buckley shared his opinion that he did not feel the Board was "doing the right thing." He indicated that he was not one to deny a business in town, therefore he would vote yes to recommend the permit for approval.

Chapter 160D Amendments

Mrs. Ansell reviewed that Chapter 160D of the North Carolina General Statutes consolidates current statutes for local development regulations (now in Chapter 160A) into a single, unified chapter, and places these statutes into a more logical, coherent organization. It refines procedures, aligns terminology, and confirms authority that was presumed under old statutes.

The consolidation required that all city and county zoning, subdivision, and other development regulations, including unified development ordinances, be updated and reflect the necessary references by July 1, 2021.

Mrs. Ansell highlighted the following details/changes for the Board's knowledge:

- Some new definitions were added that were in 160D but not in the Town UDO
- Reorganized some sections to be more logical
- Removed language that was contradictory to sections
- Historic Appendix would be updated and referred to as "Standards" instead of "Guidelines"
- Wireless tower requirements were added

On an inquiry from the Board, Mrs. Ansell clarified that the changes are mandated and come from Chapter 160D of the North Carolina General Statutes.

On a motion by Mr. Chadwick, seconded by Mr. Conaway, the proposed changes to the Town Code of Ordinances and Unified Development Ordinance related to the N.C.G.S. Chapter 160D Amendments was recommended for approval to the Board of Commissioners and were found consistent with the Comprehensive plan. The motion passed 4:1.

Ayes: Chadwick, Ramsey, Favata, Conaway

No: Buckley

Mr. Buckley inquired as to what amendments were being approved and insisted that they all be read for the hearing. Chairman Chadwick explained that all amendments as provided in the Board agenda packet and reviewed by Planner Jennifer Ansell, were being recommended for approval to the Board of Commissioners.

Adjournment

On a motion by Mr. Favata, seconded by Mr. Conaway, the meeting adjourned at 6:17 pm.